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February 8, 2010

Roger A. Goodnough  
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BY ECF

Honorable Lois Bloom  
United States Magistrate Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

The stay shall remain in effect.  
Defendant's counsel shall report the status  
of plaintiff's criminal charges to this Court  
by 4/15/10. so ordered: /Signed by Judge Lois Bloom/  
2/9/10 *JL*

Re: Kerry L. Marshall v. Connex Credit Union, Inc.  
Docket No.: 08-CV-1263 (BMC)(LB)  
Our File No.: 2030.234

Dear Judge Bloom:

As you know, we represent defendant Connex Credit Union, Inc. in the captioned matter.

Your Honor, by endorsed Order dated April 28, 2009, directed that we inform Your Honor of the status of the criminal case against plaintiff Kerry L. Marshall by February 15, 2010. This will provide you with that status report.

As expected, the United States obtained another indictment against Mr. Marshall in the United States District Court for the District of Connecticut. I have attached a copy of the most recent docket for that matter (Docket No. 10-CR-00014). As more fully appears from that docket, Mr. Marshall was re-indicted on January 7, 2010; the initial appearance and arraignment took place on January 21, 2010; and, as is set forth in Docket Entry No. 10, defendant's motions were due on February 5, 2010; the Government's responses are due on February 19, 2010; and jury selection is set for March 9, 2010.

Respectfully submitted,

*Roger A. Goodnough*  
Roger A. Goodnough

RAG:njh  
Enclosure

cc (by Federal Express): Mr. Kerry L. Marshall

114306 v10

EFILE

**U.S. District Court  
United States District Court for the District of Connecticut (New Haven)  
CRIMINAL DOCKET FOR CASE #: 3:10-cr-00014-AVC-1**

Case title: USA v. Marshall

Date Filed: 01/07/2010

Assigned to: Judge Alfred V. Covello

**Defendant (1)****Kerry Marshall**represented by **Kerry Marshall**  
PRO SE

**Frank J. Riccio**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**BANK FRAUD  
(1-20)PRODUCES/TRAFFICS IN  
COUNTERFEIT DEVICE;Access  
device fraud  
(21)**Disposition****Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

Complaints

None

DispositionPlaintiff

USA

represented by **Anthony E. Kaplan**  
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Date Filed	#	Docket Text
01/07/2010	<u>1</u>	INDICTMENT returned before Magistrate Judge Joan G. Margolis. Returned before grand jury number N09-01 Summons to issue, as to Kerry Marshall (1) count(s) 1-20, 21. (Falcone, K.) (Entered: 01/11/2010)
01/07/2010	<u>2</u>	ELECTRONIC FILING ORDER as to Kerry Marshall - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Warren W. Eginton on 1/7/2010. (Falcone, K.) (Entered: 01/11/2010)
01/08/2010		Summons Issued as to Kerry Marshall Arraignment set for 1/12/2010 11:00 AM in Courtroom Four-Annex, 915 Lafayette Blvd., Bridgeport, CT before Judge Holly B. Fitzsimmons. Initial Appearance set for 1/12/2010 11:00 AM in Courtroom Four-Annex, 915 Lafayette Blvd., Bridgeport, CT before Judge

		Holly B. Fitzsimmons (Falcone, K.) (Entered: 01/11/2010)
01/15/2010	<u>3</u>	NOTICE of Related Case by USA as to Kerry Marshall (Sheldon, David) (Entered: 01/15/2010)
01/15/2010		Summons Issued as to Kerry Marshall to appear on 1/21/2010, at 3:00, in Courtroom 4-Annex, before HBF Initial Appearance set for 1/21/2010 03:00 AM in Courtroom One, 915 Lafayette Blvd., Bridgeport, CT before Judge Holly B. Fitzsimmons (Gutierrez, Y.) (Entered: 01/20/2010)
01/19/2010	<u>5</u>	Appearance Pro Se as to Kerry Marshall. (Gutierrez, Y.) (Entered: 01/21/2010)
01/19/2010	<u>6</u>	CONSENT TO ELECTRONIC NOTICE BY PRO SE LITIGANT by Kerry Marshall (Gutierrez, Y.) (Entered: 01/21/2010)
01/19/2010	<u>7</u>	MOTION to Appear Before the Grand Jury by Kerry Marshall. (Gutierrez, Y.) (Entered: 01/21/2010)
01/19/2010	<u>8</u>	MOTION to Dismiss Indictment/Double Jeopardy with Memorandum of Law in Support by Kerry Marshall. (Gutierrez, Y.) (Entered: 01/21/2010)
01/20/2010	<u>4</u>	ORDER OF TRANSFER in case as to Kerry Marshall Case reassigned to Judge Alfred V. Covello for all further proceedings. Signed by Judge Warren W. Eginton on 1/20/10. (S-Barrille, J.) (Entered: 01/20/2010)
01/21/2010	<u>9</u>	ORAL MOTION for Action to Stay Jurisdiction by Kerry Marshall. (Gutierrez, Y.) (Entered: 01/29/2010)
01/21/2010	<u>10</u>	Minute Entry for proceedings held before Judge Holly B. Fitzsimmons: Initial Appearance & Arraignment as to Kerry Marshall (1) Count 1-20,21 held on 1/21/2010; Plea entered by Kerry Marshall (1) Count 1-20,21 Not Guilty entered on the defendant's behalf; Defendant's motions due 2/5/2010 and Government's responses due 2/19/2010; Non-Surety Bond set as to Kerry Marshall (1) \$75,000.00. ( Jury Selection set for 3/9/2010 09:30 AM in Courtroom One, 450 Main St., Hartford, CT before Judge Alfred V. Covello); denying in open court 9 Oral Motion for action to Stay Jurisdiction as to Kerry Marshall (1) 35 minutes(Court Reporter Rita Payton.) (Gutierrez, Y.) Entry Modified to add not guilty plea entered on the defendant's behalf on 1/29/2010 (Gutierrez, Y.). (Entered: 01/29/2010)
01/21/2010	<u>11</u>	ATTORNEY APPEARANCE: Frank J. Riccio appearing for Kerry Marshall (Gutierrez, Y.) (Entered: 01/29/2010)
01/21/2010	<u>12</u>	SEALED CJA 23 Financial Affidavit by Kerry Marshall (Defendant refused to sign Financial Affidavit) (Gutierrez, Y.) (Entered: 01/29/2010)
01/21/2010	<u>13</u>	Non-Surety Bond Entered as to Kerry Marshall in amount of \$75,000.00 (Gutierrez, Y.) (Entered: 01/29/2010)
01/21/2010	<u>14</u>	ORDER Setting Conditions of Release as to Kerry Marshall. Signed by Judge Holly B. Fitzsimmons on 1/21/2010. (Gutierrez, Y.) (Entered: 01/29/2010)
01/21/2010	<u>15</u>	CJA 20 as to Kerry Marshall: Appointment of Attorney Frank J. Riccio for Kerry Marshall. Signed by Judge Holly B. Fitzsimmons on 1/21/2010. (Gutierrez, Y.) (Entered: 01/29/2010)

02/04/2010	<u>16</u>	MOTION for Stay by Kerry Marshall. (Blue, A.) Modified on 2/5/2010 (Blue, A.). (Entered: 02/05/2010)
02/04/2010	<u>17</u>	MOTION to Suppress by Kerry Marshall. (Attachments: # <u>1</u> Affidavit)(Blue, A.) (Entered: 02/05/2010)

<b>PACER Service Center</b>			
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02/05/2010 13:06:53			
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